

HAMILTON COUNTY BOARD OF COMMISSIONERS  
SEPTEMBER 11, 2006

The Hamilton County Board of Commissioners met on Monday, September 11, 2006 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 1:30 p.m. President Holt called the public session to order at 2:08 p.m. and declared a quorum present of Commissioner Christine Altman and Commissioner Steven A. Holt. Commissioner Steven C. Dillinger was absent. The Pledge of Allegiance was recited.

**Approval of Minutes**

Altman motioned to approve the minutes of August 28, 2006. Holt seconded. Motion carried unanimously. Altman motioned to approve the minutes of September 1, 2006. Holt seconded. Motion carried unanimously.

**Executive Session Memoranda**

Altman motioned to approve the Executive Session Memoranda of September 11, 2006. Holt seconded. Motion carried unanimously.

**Highway Business**

**Acceptance of Bonds/Letters of Credit - Highway Department**

Mr. Joel Thurman requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-92-0052 - Fidelity and Deposit Company Continuation Certificate for Annual Permit Bond #30359069 issued on behalf of The Snider Group, Inc. to now expire September 17, 2007. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit - Highway Department**

Thurman requested the release of Bonds and Letters of Credit for the highway department. 1) HCHD #B-05-0018 - Fidelity and Deposit Company Permit Bond #LPM8708792 issued on behalf of REI Real Estate Service per cancellation notice dated August 23, 2006 from the bonding company. 2) HCHD #B-02-0096 - Gulf Insurance Company Subdivision Bond #B21864677 issued on behalf of Interstate Holdings, LLC, for Saxony R/W Entrance. 3) HCHD #B-05-0039 - Bond Safeguard Insurance Company Subdivision Bond #5016149 issued on behalf of Platinum Properties for Maple Knoll, Section 2, paving, curbs and street signs. 4) HCHD #B-05-0040 - Bond Safeguard Insurance Company Subdivision Bond #5016148 issued on behalf of Platinum Properties for Maple Knoll, Section 1, paving, curbs and street signs. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Agreements/Supplements [2:10:40]**

**Bridge #262 Supplement #3**

Thurman requested approval of Supplement #3 with United Consulting Engineering for Bridge #262 in the amount of \$26,000. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Bridge #133 Request for Additional Funding**

Thurman requested approval of a letter to INDOT (Indiana Department of Transportation) requesting additional federal aid funding for Bridge #133. Originally the bridge was programmed at \$690,000 for total construction and construction inspection. The current estimates are now \$800,000. The additional costs are due to inflation and the small increase in construction costs. Altman motioned to approve the requested funding. Holt seconded. Motion carried unanimously.

**Eagletown Road Request to Close**

Thurman requested approval of the closure of Eagletown Road over Symons Ditch for the replacement of Small Structure #31046. The closure would begin September 25, 2006 for approximately 60 calendar days. Altman motioned to close the road as suggested. Holt seconded. Motion carried unanimously.

**IRTC Policy Committee**

Altman stated she attended the IRTC Policy Committee meeting and they had the federal review of the MPO. It has been 4-5 years since the last federal certification. We will not get a clean certification at the MPO. The major deficiency cited was a staffing issue, they are understaffed. This is a function of local share because we have more planning and staff money available if we could come up with more of a local share. The Anderson MPO is more active with the federal dollars and they do more than just highway planning. They also integrate into land development planning and other beneficial work. Altman also anticipates them scoping out why there is not more local share, which is because of Indianapolis= statutory control over the MPO. This may be our opportunity, if we are willing to fund it, to push for an independent MPO governing body.

**Paul Shoopman Letter**

Mr. Brad Davis requested approval of the letter to Paul Shoppman regarding the landscaping on 146th Street. Davis stated Mr. Shoopman indicated to him that he has worked out the placement of the poles with Duke Energy. Altman and Holt approved the letter.

**South Parking Lot Paving**

Davis stated the estimate for the highway department to pave the south parking lot is \$6,000. Altman asked where would we pay this from? Holt stated the conclusion was that the engineering would not be done in a timely fashion for the south parking lot and the commissioners asked the highway department to estimate installing a wedge of asphalt to get us through the winter. Holt asked Mr. Scott Warner if there are funds in his budget that it could be taken care of? Warner stated yes, he can take care of it. Warner stated the highway department has told him they could start in October. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**96th Street Bridge**

Altman stated Mayor Brainard sent a letter to INDOT Commissioner Sharp asking why the replacement bridge on 96th Street over I-465 is only two lanes when the Thoroughfare Plan shows it as a four lane facility. Altman stated Commissioner Sharp=s response stated that the MPO has not integrated Hamilton County=s Thoroughfare Plan in to the MPO region. Altman asked Davis to follow up on this issue.

**Architura**

Ms. Pat Romiti introduced their architectural company, Architura.

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**Animal Shelter Maintenance**

Warner presented the estimated costs for maintaining the animal shelter contractual services for a total of \$4,650. There will be additional maintenance costs for miscellaneous problems (doors, plumbing, lights, etc.) which will come from the Buildings and Grounds budget. If custodial services are provided (2hrs/day, 5 days/week) the estimate is an additional \$7,000. Altman motioned to approve the contractual services only, the tenants should keep up the facility. Holt seconded. Motion carried unanimously. Altman asked Howard to build this into the agreements and asked to have a full agreement prepared. Holt stated he has approved two change orders one for \$9,000 for additional cages for the humane society and one for \$3,000 for wiring for operating lights in the surgical suite in the spay/neuter clinic. Prior to that approval we had \$100,000 left in contingency. Altman asked if there will be a ribbon cutting? Swift stated they have set a day of November 2nd for an open house. Holt asked Swift to follow up on the open house. Warner asked if the commissioners expect him to supervise the keys for the facility? Holt asked if that is his recommendation? Warner stated yes. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Historic Courthouse Windows**

Warner stated the windows in the historic courthouse are experiencing major deterioration of the windows. Some of the windows in the attic have the wood rotting and falling out. He has received estimates for replacing the windows with a wood window with an aluminum cladding around it. The windows should look the same as what is there now. The color will match. Seven windows need replaced. Warner stated they will have a mock-up of the window which he will show to Swift and Holt. Warner stated if this works well he has budgeted to have some cladding done on the lower window sills, where they are rotting.

**Amended Cingular Wireless Tower Contract**

Holt stated he received a phone call from Mr. Dickson from Cingular Wireless requesting to negotiate putting more equipment on the Sheriff's tower. Altman stated the contract is the same contract we have with an additional \$2,000 per year and extend it with another 4-5 year term. Altman stated the contract is unacceptable to her. All we are doing is loading the tower with additional weight and precluding other public safety use of the tower. Altman stated in order to discuss this she motioned to approve the amended contract. Holt asked that Benny Craig and Mr. Dickson be invited to the next Executive Session to discuss the contract.

**Commissioner Committee Reports**

**IRTC Finance Committee**

Altman stated the IRTC Finance Committee, which is helping CIRT (Central Indiana Regional Transportation Authority) met with Mayor Peterson, Mayor Ditslear, Gary Huff of Fishers, and Mike Hollibaugh of Carmel to look at where we are with transit and how we are going to proceed with funding for transit. We are trying to prepare for the 2007, 2008 and 2009 legislative sessions in terms of planning if we are going to ask for a dedicated source and technology. The concurrence at that meeting, subject to ratification with the travel demand models is light rail. It would not be in Indianapolis best interest to have all of their streets torn up in a six year construction cycle but trying to put in the first leg with local share that would match with federal funding to get the line to Fishers with express bus service to all of the other regional partners and then replacing express bus service with a fixed guideway as we move forward. Consensus was that we had to have something in place for all of our regional partners now and funded with the funding requested. We would go with the first leg to Fishers with the difference being the fixed guideway, assuming the travel model verifies it, it would be light rail. We would not try to install the whole system in six years but try to accelerate it on a more reasonable basis based on actual usage on demand. The next leg would probably go to the airport, depending on usage to Plainfield and to our regional partners with express bus service that could be rotated and then replaced with the like guideway as it would support those legs. There was a consensus that we have to start with a success story and the northeast corridor would be the most likely success story to get it going. Holt asked, funded with local money? Altman stated not necessarily, we are going to continue to plan with the eye toward federal dollars but make the ask to have sufficient funds to install it with local dollars if the federal dollars don't pan out. Holt asked what is the rough estimate? Altman stated we don't have that because we don't have a specific technology. We are studying an accelerated build out with 84 miles of guideway with the elevated system, which was the most expensive technology so we are refining our numbers. Holt stated five or six years ago were there not numbers for the different options? Altman stated what is panning out, while we are watching areas such as Houston and Phoenix as they install additional lines, that what is most sensitive with the latest technology is how many at-grade crossings you have to elevate your system for and right of way costs. Holt asked what are the northeast corridor estimates? Altman stated rough estimates are \$30 million per mile. Once you give the planners a specific go for it we can hone in the costs. That is why we did want to make an ask in the 2007 legislative cycle. In theory we could build out the whole system of 84 miles and run it but it would not include other costs for service in the regional counties for less than .75 cent sales tax on a regional basis. This was assuming a six year build out, which we are backing away from with Major Moves tearing up everything. Holt asked what is the legislation for 2007 going to be? Altman stated it is not going to be specific legislation, it is going to be public education as to the pros and cons to public transit, with specific requests in 2008. We have to have local funding in place in 2009 to move forward on a reasonable time schedule. Holt asked when you say local money are you including Indiana money? Altman stated correct, when she says local share it is putting it in non-federal, we bear the costs. We are currently putting out an RFP to look at the numbers and the tax consequences. We have in place a Comprehensive Operations Analysis (COA) based on the Indy-Go system and putting in the fixed guideway system. We need to feel comfortable with what is in and what is out before we approach the legislators. We know for sure that the only operations that are in that study for the web of service we need in the regional counties to make it work is Hamilton County. We need to add into those costs the local transit needs for Hendericks, Hancock and the other counties so we can build what we need for a regional system correctly. What has been done is very comprehensive but we need to make sure we have included everything. Altman stated she will be meeting with the Indianapolis Chamber that is trying to partner with business for the education component. Holt asked if there is some idea of a logical timeline and what the numbers are? Altman stated having this planned so we could have local or federal dollars, we would have to have local funding in place by 2009. Holt asked if you are thinking it is going to be regional money or Hamilton/Marion County money? Altman stated for the local line we are assuming it is regional money because we will have in place, although it is not a fixed system, for every county. We have been

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moving our meetings to different locations and it is an eye opener the travel issues that Hendericks County has. This is not exclusively Marion and Hamilton Counties, it is a regional issue.

**Highway COIT**

Altman stated the county council has agreed to restore the original COIT funding for the highway department, pending budget approval.

**Attorney** [2:47:31]

**Jail and Community Corrections Facility Renovations**

Mr. Michael Howard requested approval of the architectural agreement between RQAW, American Consulting and Hamilton County for the additions and renovations to the north end of the Jail, the new community corrections facility, renovation of the old jail and additions and renovations to the south end of the Jail. Altman stated she does not like the language that if there is termination before completion that the owner would not have the right to use the documents. In Section 1.3.2.2 language was added Aor if either party terminates the contract≡. Altman motioned to approve the agreement with the amended language. Holt seconded. Motion carried unanimously.

**TJ Patterson Regulated Drain Interlocal Agreement**

Howard requested approval of the Interlocal Agreement Concerning the Reconstruction of a Portion of the TJ Patterson Regulated Drain located in Fall Creek Township. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Encroachment Agreement**

Howard requested approval of the Encroachment Agreement between Vectren Energy and Hamilton County Drainage Board to do work within the easement east of Marilyn Road and north of East 136th Street. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Lease of Paved Area for Parking**

Howard requested approval of the Lease of Paved Area for Parking between Riverview Hospital and Hamilton County for the Kahlo property for juror parking. Holt asked this item to be tabled to the next meeting.

**Administrative Assistant** [2:57:17]

**Furniture Budget**

Mr. Fred Swift stated he has been advised by the Auditor=s office that the 2004 GO Bond included \$17,000 for furniture, which has not been spent. Swift recommended using this money for furniture for the court renovation. Altman asked to look at our needs outside of that project. Holt asked this item to be tabled.

**Security Committee**

Holt asked Swift to contact Sheriff Carter to schedule the next Security Committee meeting.

**Cicero Wage Determination Committee Appointment**

Swift stated the Town of Cicero is requesting an appointment to a Wage Determination Appointment. They are recommending Ford Hibner. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**CDBG Program Section 106 Review**

Swift stated the Noblesville Housing Authority is requesting approval and signature on a letter to the Indiana Department of Natural Resources seeking concurrence of Ano historic properties affected≡ for 320 Washington Avenue, Cicero, Indiana for the CDBG Program. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Sheriff** [3:02:44}

**Vehicle Accident**

Major Mark Bowen stated a Sheriff=s car was involved in an accident this weekend, the officer swerved to miss a deer and hit a tree. The officer is ok, the car was totaled and they are working with the Safety Risk Manager to replace the car.

**Auditor**

**E-mail Address for Part-Time Employee**

Ms. Robin Mills requested approval of assigning an e-mail address for a new employee in her office. She is part-time with the expectation to become full-time December 19, 2006. Holt motioned to approve. Altman seconded. Motion carried unanimously.

**Request to Pay for Hepatitis B Vaccinations from Liability Trust**

Mills stated Ross Klippel, Safety Risk Manager, is researching Hepatitis B Vaccinations for employees and has asked if the Liability Trust can pay for those vaccinations. The health department is not able to pay for these vaccinations any more. Altman asked Swift to ask the health department what shots they are providing and to whom. Holt asked Swift to research the issue and bring it back to the next meeting.

**Resolution 9-11-06-1, Cumulative Courthouse Fund Levy**

Mills requested approval of Resolution 9-11-06-1, Cumulative Courthouse Fund Levy set at a level equal to \$475,000 for 2006 pay 2007. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit - Drainage Board**

**Release of Bonds/Letters of Credit - Drainage Board**

Mills requested acceptance and release of Bonds and Letters of Credit for the drainage board. 1) HCDB-2006-00048 - Travelers Casualty and Surety Company Performance Bond for Clarian Health Partners in the amount of \$185,000 for relocation and re-piping of existing pond at Clarian North Hospital. 2) HCDB-2006-00048 - Travelers Casualty and Surety Company Payment Bond for Clarian Health Partners in the amount of \$185,000 for relocation and re-piping of existing pond at Clarian North Hospital. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Payroll Claims**

Mills requested approval of Payroll Claims for the period of August 14-27, 2006 paid September 8, 2006. Altman motioned to approve. Holt seconded. Motion carried unanimously.

**Vendor Claims**

Mills requested approval of Vendor Claims to be paid September 12, 2006. Altman motioned to approve. Holt seconded. Motion carried unanimously.

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Altman motioned to adjourn. Holt seconded. Motion carried unanimously.

**Commissioners Correspondence**

A.B.A.T.E. of Indiana Request for Road Improvement on 216th Street near Millcreek  
DNR Findings of No Historic Properties for CDBG Grant:

- 11000 Broadway Street
- 1149 Shoreline Drive
- 133 Hiawatha Drive
- 1507 North Street
- 205 8th Street
- 612 Hillcrest Drive
- 723 11th Street

Westfield Public Works Notice of Public Hearing:  
Amending Rates and Charges for Water Service

IDEM Notice of Sewer Permit Applications  
Saxony Corporate Campus, Lot T - Noblesville  
Sedona, Section 5 - Fishers  
Village of West Clay Moultrie Street - Carmel

IDEM Notice of Sewer Construction Applications  
Belmont Park, Section 2 - Fishers  
Belmont Place at Brooks Park, Section - Fishers  
Brooks Park, Section 4 - Fishers  
Village Green, Section One - Carmel

IDEM Notice of 30-Day Public Comment Period  
New Source Construction - Bates Technologies, Inc.

Certificates of Liability Insurance  
BoseTreacy Associates, LLC  
Netech Corporation  
Poindexter Excavating

**Present**

- Christine Altman, Commissioner
- Steven A. Holt, Commissioner
- Robin M. Mills, Auditor
- Kim Rauch, Administrative Assistant to Auditor
- Fred Swift, Administrative Assistant to Commissioners
- Michael A. Howard, Attorney
- Darren Murphy, Attorney
- Mark Bowen, Sheriff=s Department
- Brad Davis, Highway Director
- Joel Thurman, Interim Highway Engineer
- Amber Emery, Highway Public Service Representative
- Tim Knapp, Highway Right-of-Way Specialist
- Matt Knight, Highway Staff Engineer
- Kathy Howard, Highway Department
- Bob Davis, Highway Superintendent
- Patti Smith, BLN
- Pat Romiti, Architura
- Mike Conly, Architura
- Chuck Rotterman, Architura
- Scott Warner, Buildings and Grounds
- Becki Wise, USI
- Rick Conner, American Consulting Engineers
- BJ Casali, ISSD

APPROVED  
HAMILTON COUNTY BOARD OF COMMISSIONERS

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ATTEST

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Robin M. Mills, Auditor

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